

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

	)	Chapter 11
	)	
	)	
In re:	)	Case No. 19-76260 (AST)
	)	Case No. 19-76263 (AST)
	)	Case No. 19-76267 (AST)
Absolut Facilities Management, LLC, <i>et al.</i> ,	)	Case No. 19-76268 (AST)
	)	Case No. 19-76269 (AST)
Debtors. <sup>1</sup>	)	Case No. 19-76270 (AST)
	)	Case No. 19-76271 (AST)
	)	Case No. 19-76272 (AST)
	)	
	)	(Jointly Administered)
	)	
6060 Armor Road, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Adv. Pro. No. 19-08121 (AST)
	)	
Absolut Facilities Management, LLC and Absolut	)	
Center for Nursing and Rehabilitation at Orchard	)	
Park, LLC	)	
	)	
Defendants.	)	

**SCHEDULING ORDER**

On September 23, 2019, 6060 Armor Road, LLC (“Plaintiff”) commenced the above captioned adversary proceeding by filing a complaint (the “Complaint”) against Absolut Facilities Management, LLC and Absolut Center for Nursing and Rehabilitation at Orchard Park, LLC (“Defendants”). [dkt item 1]

<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, are: Absolut Facilities Management, LLC (1412); Absolut Center for Nursing and Rehabilitation at Allegany, LLC (7875); Absolut Center for Nursing and Rehabilitation at Aurora Park, LLC (8266); Absolut Center for Nursing and Rehabilitation at Gasport, LLC (8080); Absolut at Orchard Brooke, LLC (1641); Absolut Center for Nursing and Rehabilitation at Orchard Park, LLC (8300); Absolut Center for Nursing and Rehabilitation at Three Rivers, LLC (8133); and Absolut Center for Nursing and Rehabilitation at Westfield, LLC (7924).

On September 23, 2019, Plaintiff filed *Plaintiff's Application for the Entry of Orders Granting a Temporary Restraining Order and Preliminary Injunction Enjoining Defendants from Implementing Unapproved Plan of Closure Prior to Approval Under 11 U.S.C. § 363* (the "Application") [dkt item 3] and the Declaration of George P. Angelich in connection therewith [dkt item 4], seeking entry of an order scheduling a hearing and shortening the notice period to consider the Application.

On September 24, 2019, the Court entered an order requiring Defendants to respond or object to the Application and the immediate relief requested therein (the "Response Order"). [dkt item 7]

On September 25, 2019, Defendants filed an objection to the Application [dkt item 8], to which Plaintiff filed a reply [dkt item 9].

On September 25, 2019 and September 26, 2019, the joinder of Capital Finance, LLC [main case dkt item 58] and Capital Funding, LLC [dkt item 11] were filed in support of the Application.

On September 27, 2019, the Court entered an order scheduling a hearing to consider the Application and an order for Defendants to show cause why the lease of the Orchard Park Facility should not be immediately terminated, why possession of the premises should not be immediately surrendered, and why any post-petition rent and allowable charges under such lease should not be immediately paid (the "Order to Show Cause"). [dkt item 13] The hearing on the Order to Show Cause was scheduled for October 3, 2019 at 1:30 p.m.

On October 3, 2019, the Court conducted the hearing, at which Plaintiff, Defendants, the Office of the United States Trustee and other parties of interest appeared. The Court adjourned the hearing on the Order to Show Cause to November 4, 2019 at 2:00 p.m.

Based thereon, it is hereby

**ORDERED** that the hearing on the Order to Show Cause is adjourned to **November 4, 2019 at 2:00 p.m.**; and it is further


**ORDERED**, that Plaintiff and Defendants shall appear before the undersigned on **November 4, 2019 at 2:00 p.m.**, at Courtroom 2554, United States Bankruptcy Court, Eastern District of New York, 271-C Cadman Plaza East, Suite 1595, Brooklyn, New York, for all adjourned matters; and it is further

**ORDERED**, that Plaintiff shall serve this Order on Defendants and all parties of interest by **October 10, 2019**; and it is further

**ORDERED**, that Plaintiff shall file an affidavit of service of the same by **October 14, 2019**.

**Dated: October 8, 2019**  
**Central Islip, New York**



  
**Alan S. Trust**  
**United States Bankruptcy Judge**